

**To:** Croxton, Dave[Croxton.David@epa.gov]; Cope, Ben[Cope.Ben@epa.gov]; Owens, Kim[Owens.Kim@epa.gov]; Opalski, Dan[Opalski.Dan@epa.gov]  
**From:** Rueda, Helen  
**Sent:** Wed 7/3/2013 9:17:46 PM  
**Subject:** RE: Pend Oreille T TMDL

Just a few comments from Ben and myself on statements Deane makes in his note:

· “...the heat load from Idaho is higher under existing than natural conditions on most days when there are on-Reservation violations”

o This is misleading. The primary source of temperature impacts to tribal waters is Box Canyon Dam (the tribal boundary is located in the impounded waters of this dam). There is only an increased heat load entering from Idaho on 9 of the 62 days of July and August (only 3 of these show a temperature difference greater than 0.3 deg C). For the remaining 84% of the July/August timeframe, the cooler-than-natural inflow from Idaho is mitigating the impact of Box Canyon Dam and reducing the frequency and magnitude of Tribal WQS exceedances.

## Ex. 5 - Deliberative

· “...by failing to account for this interstate heat load, Ecology’s TMDL allows expanded degradation above that which is already contributing to Kalispel water quality violations.”

## Ex. 5 - Deliberative

“...the existing weekly average increase already coming from Idaho at the end of August is 0.58°C.”

o **This is somewhat misleading. The number is calculated using continuous model data, not daily maximum temperatures. Both the Tribe’s and the state’s WQS are based on daily maximum temperatures. (Albeni Falls dam generally reduces daily maximums and also increases daily minimum temperatures, flattening the diurnal temperature fluctuations.)**

**From:** Croxton, Dave  
**Sent:** Tuesday, July 02, 2013 10:34 AM  
**To:** Rueda, Helen; Cope, Ben; Owens, Kim  
**Subject:** FW: Pend Oreille T TMDL

Fyi. Hopefully I forwarded this previously, sorry if not. This is an old analysis attached, but Deane reiterates the point that in the Tribe’s view, exceedences at state border exacerbate violations on the Reservation.

**From:** Opalski, Dan  
**Sent:** Wednesday, May 15, 2013 11:52 AM  
**To:** Croxton, Dave  
**Subject:** Fw: Pend Oreille T TMDL

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**From:** Deane Osterman  
**Sent:** Wednesday, May 15, 2013 11:50:35 AM  
**To:** Opalski, Dan  
**Subject:** Pend Oreille T TMDL

Dan,

I am writing to follow up on our phone call last week in which we discussed Ecology's response to the Region's decision that it is not going to be able to approve the Pend Oreille Temperature TMDL in its current form. One issue that the State and EPA appear to be wrestling with is the significance of the relatively few number of water quality violations at the Idaho-Washington border. Although I emphasized the need to correct these violations in their own right, I neglected to explain how the heat load responsible for these violations contributes to numerous downstream violations of Kalispel water quality standards.

The attached memo, which we have previously shared with HQ and the Region, shows that the heat load from Idaho is higher under existing than natural conditions on most days when there are on-Reservation violations, and that this unnatural warming is most pronounced during the critical late-summer/early fall season. (Table 3, highlighted rows = existing temp > natural temp). By failing to account for this interstate heat load, Ecology's TMDL allows expanded degradation above that which is already contributing to Kalispel water quality violations. This is unacceptable to the Tribe considering, among other things, that the existing weekly average increase already coming from Idaho at the end of August is 0.58°C.

Hope you find this information helpful.

Regards,

Deane Osterman, Executive Director

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[www.knrd.org](http://www.knrd.org)

v 509.447-7282

c 509.993.0879

KNRDLogo

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*

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\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*